

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** Chairman Kelly Gebhardt, on March 16, 2009 at 3:00 P.M., in Room 422 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Kelly Gebhardt, Chairman (R)  
Sen. Debby Barrett, Vice Chairman (R)  
Sen. Ken (Kim) Hansen (D)  
Sen. Jim Keane (D)  
Sen. Gary L. Perry (R)  
Sen. Jim Peterson (R)  
Sen. David E. Wanzonried (D)

##### **Members Excused:**

Sen. Aubyn Curtiss (R)  
Sen. Christine Kaufmann (D)  
Sen. Donald J. Steinbeisser (R)  
Sen. Mitch Tropila (D)

**Members Absent:** None

**Staff Present:** Lindsey Hern, Committee Secretary  
Sonja Nowakowski, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 375, 2/25/2009; HB 557,  
2/25/2009

Executive Action: HJ 4; HJ 7

**HEARING ON HB 557**

**Opening Statement by Sponsor:**

00:00:59 Rep. Tony Belcourt (D), HD 32, opened the hearing on HB 557, Generally revise laws related to regional water systems.

00:02:51 Sen. Curtiss came to the committee.

**Proponents' Testimony:**

00:03:08 Clint Jacobs, Manager, Dry Prairie Rural Water

[EXHIBIT\(nas58a01\)](#)

[EXHIBIT\(nas58a02\)](#)

00:03:35 Sen. Steinbeisser came to the committee.

00:07:15 Sen. Tropila came to the committee.

00:12:05 Annmarie Robinson, Rocky Boy, Manager, North Central Montana Regional Water Authority

[EXHIBIT\(nas58a03\)](#)

00:14:18 Dan Keil, Montana Rural Water Systems

00:15:04 Mike Murphy, Montana Water Resources Association (MWRA)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:16:10 Sen. Barrett

00:16:36 Mr. Murphy, MWRA

00:17:13 Sen. Barrett

00:17:25 Mr. Murphy, MWRA

00:17:50 Mr. Jacobs, Dry Prairie Rural Water

00:18:10 Sen. Curtiss

00:18:31 Mr. Jacobs, Dry Prairie Rural Water

00:19:10 Sen. Curtiss

00:19:34 Mr. Jacobs, Dry Prairie Rural Water

00:20:45 Chairman Gebhardt

00:21:17 Mr. Jacobs, Dry Prairie Rural Water

00:21:59 Chairman Gebhardt

00:22:18 Rep. Belcourt

00:22:29 Chairman Gebhardt

00:22:47 Rep. Belcourt  
00:23:17 Chairman Gebhardt

**Closing by Sponsor:**

00:23:49 Rep. Belcourt  
00:24:50 Chairman Gebhardt

**HEARING ON HB 375**

**Opening Statement by Sponsor:**

00:25:18 Rep. Mike Phillips (D), HD 66, opened the hearing on HB 375, Create a bipartisan committee to evaluate climate change initiative.

**Proponents' Testimony:**

00:29:14 John Alke, MDU Resource Group  
00:33:27 Mark Lambrecht, Regulatory Affairs Manager, PPL Montana; Speaking on behalf of NorthWestern Energy  
00:37:20 Todd O'Hair, Rio Tinto Energy America Services Company (RTEA)  
00:40:25 Casey Perkins, Montana Audubon

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:41:24 Sen. Keane  
00:41:45 Mr. O'Hair, RTEA  
00:43:53 Sen. Keane  
00:44:07 Mr. O'Hair, RTEA  
00:44:48 Sen. Perry  
00:45:01 Mr. Alke  
00:45:29 Sen. Perry  
00:45:49 Mr. O'Hair, RTEA  
00:46:07 Sen. Perry  
00:46:18 Mr. Lambrecht, PPL Montana, NorthWestern Energy  
00:46:32 Sen. Perry  
00:46:59 Sen. Barrett  
00:47:10 Rep. Phillips

00:47:14 Sen. Barrett  
00:47:23 Rep. Phillips  
00:48:18 Sen. Barrett  
00:48:53 Rep. Phillips  
00:48:57 Sen. Barrett  
00:49:00 Rep. Phillips  
00:49:46 Sen. Barrett  
00:50:03 Rep. Phillips  
00:50:30 Sen. Barrett  
00:50:49 Rep. Phillips  
00:51:04 Chairman Gebhardt  
00:51:39 Rep. Phillips  
00:52:38 Chairman Gebhardt  
00:53:44 Rep. Phillips

**Closing by Sponsor:**

00:55:34 Rep. Phillips

Sen. Peterson left the committee before the start of HB 593.

**HEARING ON HB 593**

**Opening Statement by Sponsor:**

00:58:15 Rep. Dan Villa (D), HD 86, opened the hearing on HB 593, Revise environmental laws.

01:00:10 Sen. Kaufmann came to the committee.

**Proponents' Testimony:**

01:00:32 John Fitzpatrick, Self

[EXHIBIT\(nas58a04\)](#)

[EXHIBIT\(nas58a05\)](#)

**Opponents' Testimony:**

01:10:47 Mike Green, Atlantic Richfield/British Petroleum Company (ARCO)

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

01:17:36 Sen. Tropila

01:18:08 Mr. Fitzpatrick, Self

01:22:25 Sen. Barrett  
 01:22:37 Chairman Gebhardt, stated that with permission Rep. Villa left to answer questions on the House floor.  
 01:22:56 Rep. Art Noonan, HD 74, Butte, Co-sponsor on HB 593  
 01:23:15 Sen. Barrett  
 01:23:31 Rep. Noonan  
 01:24:15 Sen. Barrett  
 01:25:05 Rep. Noonan  
 01:25:30 Sen. Tropila  
 01:26:44 Mr. Green, ARCO  
 01:28:29 Sen. Curtiss  
 01:28:54 Mr. Green, ARCO  
 01:29:35 Sen. Curtiss  
 01:29:54 Mr. Green, ARCO  
 01:31:14 Sen. Curtiss  
 01:31:44 Mr. Fitzpatrick, Self  
 01:34:31 Sen. Curtiss  
 01:34: Mr. Fitzpatrick, Self  
 01:35:25 Sen. Curtiss  
 01:35:51 Mr. Fitzpatrick, Self  
 01:36:24 Sen. Barrett  
 01:36:55 Mr. Fitzpatrick, Self  
 01:38:40 Chairman Gebhardt  
 01:38:50 Mr. Fitzpatrick, Self  
 01:39:34 Chairman Gebhardt  
 01:39:51 Mr. Fitzpatrick  
 01:40:29 Chairman Gebhardt  
 01:41:28 Mr. Fitzpatrick, Self  
 01:43:11 Chairman Gebhardt  
 01:43:59 Mr. Fitzpatrick, Self  
 01:45:00 Chairman Gebhardt  
 01:45:35 Mr. Fitzpatrick, Self  
 01:45:43 Chairman Gebhardt

**Closing by Sponsor:**

01:45:52 Rep. Noonan, closed in place of Rep. Villa.

01:50:02 Chairman Gebhardt

**EXECUTIVE ACTION ON HJ 4**

01:51:43 **Motion:** Sen. Perry moved that **HJ 4 BE CONCURRED IN.**

**Discussion:**

01:51:54 Sen. Kaufmann  
 01:52:20 Chairman Gebhardt  
 01:52:26 Sen. Kaufmann

01:52:33 Sen. Perry withdrew the motion Be Concurred on HJ 4.

01:52:43 Chairman Gebhardt

**EXECUTIVE ACTION ON HJ 7**

01:53:05 **Motion:** Sen. Steinbeisser moved **HJ 7**.

**Discussion:**

01:53:21 Sen. Wanzenried

01:54:11 Chairman Gebhardt

01:54:39 Sen. Keane

01:55:47 Sen. Curtiss

01:56:20 Chairman Gebhardt

01:56:24 Sen. Wanzenried

01:56:43 Sen. Keane

01:57:27 **Vote:** Motion that **HJ 7 BE CONCURRED IN** carried 8-1 by voice vote with Sen. Kaufmann voting no. Sen. Hansen will carry the bill in the Senate.

**Committee Business:**

01:58:08 Chairman Gebhardt

01:58:30 Sen. Keane

01:58:59 Chairman Gebhardt

01:59:19 Sen. Keane

01:59:44 Chairman Gebhardt

**ADJOURNMENT**

Adjournment: 5:01 P.M.

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Lindsey Hern, Secretary

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Additional Documents:

**EXHIBIT ([nas58aad.pdf](#))**